

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
BENTON DIVISION

MARY E. SHEPARD and the ILLINOIS)	
STATE RIFLE ASSOCIATION,)	
)	
Plaintiffs,)	No. 3:11-cv-00405-MJR-PMF
)	
v.)	
)	Honorable Judge Michael J. Reagan
LISA M. MADIGAN, solely in her official)	Magistrate Judge Philip M. Frazier
capacity as ATTORNEY GENERAL OF)	
ILLINOIS, GOVERNOR PATRICK J.)	
QUINN, solely in his official capacity as)	
Governor of the State of Illinois, TYLER R.)	
EDMONDS, solely in his official capacity)	
as the State's Attorney of Union County,)	
Illinois, and SHERIFF DAVID LIVESAY,)	
solely in his official capacity as Sheriff of)	
Union County,)	
)	
Defendants.)	

PLAINTIFFS' SUPPLEMENTAL MOTION FOR ATTORNEYS' FEES

Pursuant to this Court's order of September 29, 2014, Doc. 124 ("Order"), Plaintiffs submit this supplemental request for attorneys' fees reflecting expenses of securing their fee award that were not included in their initial fee petition. Plaintiffs request a supplemental award in the amount of \$116,133.50.

"Where a plaintiff has obtained excellent results, his attorney should recover a fully compensatory fee. Normally this will encompass all hours reasonably expended on the litigation," *Hensley v. Eckerhart*, 461 U.S. 424, 435 (1983), including "the hours reasonably required . . . 'for the collection of fees,' " Order 15 (quoting *Johnson v. GDF, Inc.*, 668 F.3d 927, 933 (7th Cir. 2012)). Plaintiffs obtained excellent results in this case; as this Court recognized, their "victory was comprehensive." *Id.* at 22. They thus are "entitled to recover fees reflecting

Cooper & Kirk and Locke Lord attorneys' work on" securing their fee award that were not included in the initial fee petition. *Id.* at 23. Those fees are detailed below.

I. Cooper & Kirk

Plaintiffs' initial fee petition included Cooper & Kirk's fees through November 2013. *See* Thompson Decl. ¶ 6, Doc. 106-1. With this supplemental motion, Plaintiffs submit additional Cooper & Kirk fees in the amount of \$92,756.00. *See* Thompson Supp. Decl., Exhibit A, at 1. Of that amount, \$25,197.00 reflects work related to the filing of the fee petition. *See id.* at 1-3. The remainder—\$67,379.00—primarily reflects work responding to the State's discovery requests, its "unpersuasive" legal arguments, Order 5, and its "niggling" objections to Plaintiffs' time sheets that sought to "punish Plaintiffs by . . . decontextualizing every description of the work their attorneys performed," *id.* at 16, 17. *See* Thompson Supp. Decl., Exhibit A, at 1, 3-6. Plaintiffs attempted to eliminate the necessity of much of this work by extending an offer to settle the fee litigation in March 2014, but the State declined to engage in substantive settlement discussions. *See* Thompson Supp. Decl. ¶ 8 & Exhibit B.

II. Locke Lord

With this supplemental motion, Plaintiffs request \$23,377.50 for Locke Lord fees that were not included in their initial fee petition. *See* Howard Supp. Decl. ¶ 4. Of that amount, \$16,815.00 reflects work related to the filing of the fee petition, *see id.* Exhibit A, at 3, while the remainder primarily reflects work related to responding to the State's discovery requests and its opposition to the fee petition.

In conclusion, Plaintiffs request a supplemental fee award in the amount of \$116,133.50 as compensation for the amount of additional time their attorneys spent securing their fee award.

Dated: October 17, 2014

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Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned attorney states that he caused a true and correct copy of **PLAINTIFFS' SUPPLEMENTAL MOTION FOR ATTORNEYS' FEES** to be served upon the parties of record, as shown below, via the Court's CM/ECF system on the **17th** day of **October, 2014**.

By: s/ Charles J. Cooper

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